



Application/Control Number: 09/924,227

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Art Unit 2626

First Named Inventor: Blair, John

Examiner: Worku, Negussie

**Request for Continued Examination and Reply to Final Office Action Rejecting  
Claims on New Grounds**

Dear Examiner Worku:

Per your second final Office Action mailing date 7/13/07, herein is a response to claim rejections based on your new grounds, and a Request for Continued Examination due to those new grounds requiring response. I have reviewed the new art in patent 7,098,942, and have found several areas of difference.

Regarding claim 2 of the present Application, The Nihei reference does indeed refer to an image acquisition apparatus, which may be connected to a USB device (computer). The present Application discloses an image apparatus (flatbed scanner) which is only connected to a user's computer via a USB terminal. It should be reiterated that the '942 reference is a kiosk intended to print photographic images, and it requires coin insertion and user selection of commands via a touch screen. Within that mechanism, there are of course transmittal means for inputting data into some form of control circuit. Indeed also there is provision for acceptance of data from a Compact Memory card reader as well as a floppy disc or a CD ROM. It is also of import to note that Nihei does not claim a scanner in the sense that the inventive Application does, and the precise terminology used in the Office Action is not disclosed in the Nihei patent.

With respect to claim 3, Nihei is shown to contain a flatbed scanner as part of its entire photograph printing kiosk. However, the present invention, as witnessed by Exhibit A, is a flatbed scanner with integrated memory card readers. There is no touch screen, no requirement for insertion of coins, and such scanner can utilize an "auto-launch" system whereby a user does not have to perform actions other than simple insertion of a memory card, whereupon the inventive software processes that data with no further action required of the user. Auto-launch is a trade name and function heavily marketed by the assignee of this Application and has been known in the industry for some time as a desired feature. There are no inputs for floppy discs or CD ROM's. The main thrust of this claim is that the card reader is integrated into the scanner. The Nihei reference contains a separate scanner and several input slots for various media.

With respect to claim 4, the Nihei reference discloses a scanner as part of its kiosk, whereas the inventive apparatus is itself a scanner alone wherein the inputs are one or two memory card reader inputs. On the Nihei apparatus, the scanner is a separate component from the inputs. Further, the Nihei apparatus only receives images with the